

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

WARREN EASLEY,
Plaintiff

v.

LT. VOGT, et al.,
Defendants

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No. 1:23-cv-01096

(Judge Rambo)

ORDER

AND NOW, on this 31st day of August 2023, upon consideration of pro se Plaintiff Warren Easley (“Plaintiff”)’s complaint (Doc. No. 1), motion for leave to proceed in forma pauperis (Doc. No. 7), and prisoner trust fund account statement (Doc. No. 8), **IT IS ORDERED THAT:**

1. Plaintiff’s motion for leave to proceed in forma pauperis (Doc. No. 7) is **GRANTED**;
2. Plaintiff shall pay the full filing fee of \$350.00 based on the financial information provided in the application to proceed in forma pauperis. The full filing fee shall be paid regardless of the outcome of the litigation;
3. Pursuant to 28 U.S.C. § 1915(b)(1) and (2), the Superintendent/Warden, or other appropriate official at Plaintiff’s place of confinement is directed to deduct an initial partial filing fee of 20% of the greater of:
 - a. The average monthly deposits in the inmate’s prison account for the past six months, or
 - b. The average monthly balance in the inmate’s prison account for the past six months.

The initial partial filing fee shall be forwarded to the Clerk of the United States District Court for the Middle District of Pennsylvania, P.O. Box 1148, Scranton, Pennsylvania, 18501-1148, to be credited to the above-captioned docket number. In each succeeding month, when the amount in Plaintiff's inmate trust fund account exceeds \$10.00, the Superintendent/Warden, or other appropriate official, shall forward payments to the Clerk of Court equaling 20% of the preceding month's income credited to plaintiff's inmate trust fund account until the fees are paid. Each payment shall reference the above-captioned docket number;

4. The Clerk of Court is directed to **SEND** a copy of this Order to the Superintendent/Warden of the institution wherein Plaintiff is presently confined;
5. Plaintiff's complaint (Doc. No. 1) is **DEEMED** filed;
6. In accordance with Federal Rule of Civil Procedure 4(c)(3), the Clerk of Court is directed to **SERVE** a copy of the complaint (Doc. No. 1), notice of lawsuit and request to waive service of summons (form AO 398), waiver of the service of summons (form AO 399), and this Order on Defendants. In the interests of efficient administrative judicial economy, the Court requests that Defendants waive service pursuant to Federal Rule of Civil Procedure 4(d);
7. If service is unable to be completed due to Plaintiff's failure to properly name the Defendants or provide an accurate mailing address for the Defendants, Plaintiff will be required to correct this deficiency. Failure to comply may result in the dismissal of Plaintiff's claims against the Defendants pursuant to Federal Rule of Civil Procedure 4(m); and

8. Plaintiff's motion for the current status of this action (Doc. No. 9) is **GRANTED** to the extent that Plaintiff is notified as follows: the Court has, inter alia, granted Plaintiff leave to proceed in forma pauperis and has directed that the Clerk of Court serve a copy of his complaint upon the named Defendants.

s/ Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge